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ViCHIP Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VICHIP CORPORATION,

Plaintiff,

v.

TSU-CHANG LEE,

Defendant and
Counterclaimant.

Case No. C-04-02914 PJH

**STIPULATED REQUEST FOR ORDER
CHANGING TIME PURSUANT TO
LOCAL RULE 6-2 AND [~~PROPOSED~~]
ORDER; DECLARATION OF LESLEY
KOTHE IN SUPPORT OF SAME**

TSU-CHANG LEE,

Counterclaimant,

v.

VICHIP CORPORATION, and VICHIP
CORPORATION, LTD.,

Counterclaim Defendants.

STIPULATED REQUEST PURSUANT TO LOCAL RULE 6-2

Plaintiff/counterclaim defendant ViCHIP Corporation ("ViCHIP") and defendant/counterclaimant Tsu-Chang Lee ("Lee") bring this motion to change the date for completion of private mediation set by the Court's Case Management and Pretrial Order dated May 2, 2005. Specifically, the parties request that the Court extend the date from August 30, 2005, 120 days from the entry of the May 2 Order, until October 31, 2005 so that the parties have time to coordinate and conduct a global mediation of this litigation as well as other proceedings in which Lee is also a party.

The parties make this stipulated request based on the facts set forth in the attached declaration of Lesley Kothe.

DATED: August 23, 2005

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/
Lesley E. Kothe
Attorneys for ViCHIP Corp.

DATED: August 23, 2005

GONZALES & LEIGH LLP

By: /s/
G. Whitney Leigh
Attorneys for Tsu-Chang Lee

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 24 2005



Phyllis J. Hamilton
United States District Judge

DECLARATION OF LESLEY E. KOTHE

1
2 1. I am an associate at the law firm of Orrick, Herrington & Sutcliffe LLP, counsel of
3 record for plaintiff ViCHIP Corporation ("ViChip"). I make this declaration of my own personal
4 knowledge and, if called as a witness, I could and would testify competently to the matters set
5 forth herein.

6 2. Pursuant to the Court's May 2, 2005 Case Management and Pretrial Order, the
7 parties are required to complete the private mediation of this litigation by August 30, 2005.

8 3. Both parties seek to resolve this litigation as well as other proceedings in which
9 Dr. Lee is a party. In order to coordinate and conduct this global mediation, which will involve
10 two Taiwanese entities that are not parties in this litigation, the parties need the Court to extend
11 the deadline for completing mediation from August 30, 2005. The parties are trying to schedule
12 the global mediation as soon as possible and are hopeful the mediation will take place in
13 September. Out of an abundance of caution, however, the parties request an extension until
14 October 31, 2005.

15 4. This is the parties' third stipulated request for a time modification in this case. The
16 Court granted the previous requests for time modifications in orders dated November 4, 2004 and
17 January 5, 2005.

18 5. The parties agree that extending the deadline for completing mediation from
19 August 30, 2005 to October 31, 2005 to allow the parties to conduct a global mediation will not
20 affect the schedule for this case.

21 Executed this 23rd day of August 2005 in San Francisco, California.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is
23 true and correct.

24 _____
25 /s/
26 Lesley E. Kothe
27
28